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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,869	11/21/2003	Cynthia Kae Florkey	LUC-439/Florkey 13-7-3	3057
32205	7590	02/22/2007	EXAMINER	
CARMEN B. PATTI & ASSOCIATES, LLC			LE, DANH C	
ONE NORTH LASALLE STREET				
44TH FLOOR			ART UNIT	PAPER NUMBER
CHICAGO, IL 60602			2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/719,869	FLORKEY ET AL.	
Examiner	Art Unit		
DANH C. LE	2617		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

**NO EXTENSION IS REQUESTED, FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 30 November 2006.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-5 and 25-31 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) 5,25 and 31 is/are allowed.

6)  Claim(s) 1-4 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. \_\_\_\_ .  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_ .

## **DETAILED ACTION**

### **SET I**

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**1. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara (US 6,643,291) in view of Haga (US 20030231338) and Mani (US 2002/0181694).**

As to claim 1, Yoshihara teaches an apparatus (figures 1, 24-28 and their descriptions), comprising:

a gateway component that provides an identifier of a service provider to a sender of a message through employment of a user address associated with a recipient of the message.

Yoshihara fails to teach the identified is a logo associated with the service provider and the user address comprises a directory number and universal Resource indicators. Haga teaches the identified is a logo associated with the service provider (paragraph 588). Mani teaches the user address comprises a directory number and universal Resource indicators (paragraph 47, 52). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide

the teaching of Haga and Mani into the system of Yoshihara in order to identify the domain server.

As to claim 2, Yoshihara teaches the apparatus of claim 1, wherein the service provider is associated with the recipient of the message, wherein the gateway component determines the identifier of the service provider associated with the recipient of the message through employment of the user address associated with the recipient (figures 1, 24-28 and their descriptions).

As to claim 3, Yoshihara teaches the apparatus of claim 2, wherein the gateway component determines an indication of a text-delivery network associated with the service provider, wherein the gateway component provides the indication of the text-delivery network to the sender (figures 49, 50 and their descriptions).

**2. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara, Haga and Mani in view of Lasenski (US 20050058260).**

As to claim 4, Yoshihara and Haga teaches the apparatus of claim 3, Yoshihara and Haga fails to teach the indication of the text-delivery network comprises a Universal Resource Locator (URL) associated with the text-delivery network, wherein the gateway component provides the Universal Resource Locator to the sender to allow for an initiation of the message by the sender. Lasenski teaches a Universal Resource Locator (URL) associated with the text-delivery network, wherein the gateway component provides the Universal Resource Locator to the sender to allow for an initiation of the message by the sender (paragraph 0082). Therefore, it would have

been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Lasenski into the system of Yoshihara and Haga in order to identifies the location in server system of the message to be accessed.

***SET II***

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**3. Claim1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara (US 6,643,291) in view of Haga (US 20030231338) and Moyano (US 2002/0191596).**

As to claim 1, Yoshihara teaches an apparatus (figures 1, 24-28 and their descriptions), comprising:

a gateway component that provides an identifier of a service provider to a sender of a message through employment of a user address associated with a recipient of the message.

Yoshihara fails to teach the identified is a logo associated with the service provider and the user address comprises a directory number and universal Resource indicators. Haga teaches the identified is a logo associated with the service provider (paragraph 588). Moyano teaches the user address comprises a directory number and

universal Resource indicators (paragraph 157). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Haga and Moyano into the system of Yoshihara in order to identify the domain server.

### ***SET III***

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara (US 6,643,291) in view of Haga (US 20030231338) and Allison (US 6,819,932).**

As to claim 1, Yoshihara teaches an apparatus (figures 1, 24-28 and their descriptions), comprising:

a gateway component that provides an identifier of a service provider to a sender of a message through employment of a user address associated with a recipient of the message.

Yoshihara fails to teach the identified is a logo associated with the service provider and the user address comprises a directory number and universal Resource indicators.

Haga teaches the identified is a logo associated with the service provider (paragraph

588). Allison teaches the user address comprises a directory number and universal Resource indicators (col.9, line 11-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Haga and Allison into the system of Yoshihara in order to identify the domain server.

***Allowable Subject Matter***

Claim 5 was allowed in the previous Office Action.

Dependent claims 25-31 are allowable for the same reason.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

danh

February 14, 2007

DANH LE

PRIMARY EXAMINER